

REMARKS

Claims 1, 4, 6-22, 24, and 25 were pending prior to this Response with claims 4, 6, 7, 22, and 24 having been withdrawn. By the present communication, no new claims have been added, claims 1, 8, 12, 15, 16 and 24 have been amended and claim 25 has been canceled without prejudice or disclaimer. Claim 1 has been amended to define Applicants' invention with greater particularity by incorporating the limitations of claim 25 therein, while amendments to claims 8, 12, 15, 16, and 24 are grammatical in nature. Support for the amended claims may be found throughout the specification and claims as originally filed. No new matter has been added. Accordingly, upon entry of the present amendment, claims 1 and 8-21 will be pending and under consideration in this application.

Rejections under 35 USC § 112, first paragraph

Applicants respectfully traverse the rejection of claims 1, 8-21, and 24-25 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement.

Specifically, the Office Action appears to take issue with the method as recited in independent claim 1 for detection of the presence or absence of colorectal cell proliferative disorders or metastasis by detection of any difference in CpG dinucleotides of ALX4 and TPEF in any subject (page 4).

Without acquiescing to the reasoning offered by the Office Action, and in order to advance prosecution, Applicants have amended independent claim 1 to incorporate therein the limitations of claim 25 and to further qualify that the "subject" as recited is a human subject. Applicants note that the Office Action states (page 12) that "it is noted that if claim 25 were limited to human subject, claim 25 would be allowable," therefore, claim 1 should be allowable.

The rejection of claim 25 is rendered moot by its cancelation and inclusion of its subject matter within amended claim 1.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection as it applies to independent claim 1 and all claims dependent therefrom.

Conclusion

In summary, for the reasons set forth herein, Applicants maintain that the claims clearly and patentably define the invention and respectfully request that the Examiner withdraw all rejections and pass the application to allowance. If the Examiner would like to discuss any of the issues raised in the Office Action, the Examiner is encouraged to contact the undersigned so that a prompt disposition of this application can be achieved.

The Commissioner is hereby authorized to charge the total amount of \$960.00 to cover the payment of a Three-Month Extension of Time fee (\$555.00) and a Request for Continued Examination fee (\$405.00), small entity. Additionally, the Commissioner is authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 07-1896 referencing the above-identified attorney docket number.

Respectfully submitted,

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